



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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IN REPLY PLEASE
REFER TO FILE: **C-1**

January 27, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ACCEPTANCE OF PUBLIC WORKS CONTRACTS
SUPERVISORIAL DISTRICTS 1, 2, 4, AND 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Ratify changes in work and accept completed contract work under the following construction contracts:

Project ID No. FCC0000729 - La Brea Avenue Drain, vicinity of Baldwin Hills (2), Nikola Corporation, with changes in the amount of \$3,105.48, and a final contract amount of \$217,950.24.

Project ID No. FMD0002033 - Channel Right of Way Clearing, 2003, East Maintenance Area, in the San Gabriel Valley (1 and 5), Mariposa Horticultural Enterprises, Inc., with changes amounting to a credit of \$47,292.40, and a final contract amount of \$278,357.60.

Project ID No. RDC0013769 - Ramsdell Avenue, vicinity of La Crescenta (5), Excel Paving Company, with changes amounting to a credit of \$1,475.20, and a final contract amount of \$130,699.52.

Project ID No. RMD4121001 - Minor Concrete Repairs, MD 4, vicinities of Florence, Santa Fe Springs, and La Habra Heights (1, 2, and 4), Universal Construction & Maintenance, with changes amounting to a credit of \$6,750.00, and a final contract amount of \$638,713.40.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action is to obtain Board ratification of Director-approved changes in public works contracts and Board acceptance of the work of the contracts in compliance with the provisions of the Public Contract Code. Included in the enclosures are project and contract data, the scope of work of changes to be ratified, and the work of the contracts to be accepted.

The Director of Public Works has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work which I ordered for Project ID Nos. FCC0000729, FMD0002033, RDC0013769, and RMD4121001.

The projects have been completed, and it is recommended that your Board accept them on the dates indicated in the enclosures.

Implementation of Strategic Plan Goals

The acceptance of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since acceptance of these completed contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The modifications to the contract amounts range in value from a credit of \$47,292.40 to an increase in the amount of \$3,105.48, while the total values of the contracts range from \$130,699.52 to \$638,713.40.

Ratification of the changes in work and acceptance of the work of the respective contracts by your Board is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.

Sufficient funds are available in the Board-approved appropriations for each of the respective projects to cover the costs of the changes and the total value of each of the contracts. Detailed cost breakdowns for each of the changes together with contract cost summaries are included in the enclosures.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Each of these contracts for the construction of public works improvements was awarded by your Board to the lowest responsible bidder in accordance with the California Public Contract Code, your Board's directives, and as recommended by the Director of Public Works.

ENVIRONMENTAL DOCUMENTATION

The changes in the work as described above and in the enclosures are within the limits of the Board-approved projects and do not change any conditions which resulted in the original environmental findings.

CONTRACTING PROCESS

Each contract provided that the contractor be compensated for changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of each of the changes were based on contract unit prices, time and materials methods, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosures.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Ratification of the requested changes and acceptance of the work of the contracts by your Board will ensure the timely closeout of the respective contracts, releasing Departmental and County assets for other construction-related activities.

The Honorable Board of Supervisors
January 27, 2004
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CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT

January 27, 2004

PROJECT ID NO. FCC0000729, LA BREA AVENUE DRAIN (in the vicinity of Baldwin Hills), Supervisorial District 2

Contractor: Nikola Corporation, 18012 Cowan, Suite 290, Irvine, California 92614

Project Description:

Construction of reinforced concrete pipe storm drain and an outlet structure.

Changes in Work:

(1) Variations in Bid Quantities	(\$3,329.52)
(2) Slurry Seal Coat	<u>6,435.00</u>
Total	<u>\$3,105.48</u>

Description of Changes:

(1) The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities.

(2) The contractor placed a coat of slurry seal on the street in order to improve the appearance of the completed project. This work was not shown on the plans.

The costs for Item 1 were based on contract unit prices. The cost for Item 2 was based on time and materials methods as provided in Subsection 3-3 of the contract specifications.

No additional working days were required because of these changes.

Project Completion Date:

The contractor completed the project on October 20, 2003, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$184,075.00
Actual cost of changes in work previously approved by the Board	30,769.76
Changes in work authorized by Director of Public Works	<u>3,105.48</u>
 FINAL CONTRACT AMOUNT	 <u>\$217,950.24</u>

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ACCEPTANCE OF CONTRACT
January 27, 2004

PROJECT ID NO. FMD0002033, CHANNEL RIGHT OF WAY CLEARING, 2003, EAST MAINTENANCE AREA (in the San Gabriel Valley), Supervisorial Districts 1 and 5

Contractor: Mariposa Horticultural Enterprises, Inc., 15529 Arrow Highway, Irwindale, California 91706

Project Description:

Clearing and removal of vegetation and debris from channel rights of way and channel lining weep holes, joints, and cracks.

Change in Work:

Dump Fees (\$47,292.40)

Description of Change:

The contract specifications provided for an allowance to compensate the contractor for dump fees, with provisions that payment will be based on the actual costs incurred. The dump fees incurred by the contractor were less than the amount of the allowance resulting in a credit to the contract in the amount shown.

Project Completion Date:

The contractor completed the project on November 14, 2003, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$325,650.00
Change in work authorized by Director of Public Works	<u>(47,292.40)</u>
FINAL CONTRACT AMOUNT	<u>\$278,357.60</u>

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ACCEPTANCE OF CONTRACT
January 27, 2004

PROJECT ID NO. RDC0013769, RAMSDELL AVENUE (in the vicinity of La Crescenta),
Supervisory District 5

Contractor: Excel Paving Company, 2230 Lemon Avenue, Long Beach, California 90806

Project Description:

Widening of roadway; construction of curb, gutter, sidewalk, driveways, metal handrailing, and masonry retaining wall; and the modification of traffic signals.

Changes In Work:

Variations in Bid Quantities (\$1,475.20)

Description of Changes:

The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities. The costs for these changes were based on contract unit prices.

Project Completion Date:

The contractor completed the project on October 15, 2003, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$123,285.05
Actual costs of changes in work previously approved by the Board	8,889.67
Changes in work authorized by Director of Public Works	<u>(1,475.20)</u>
 FINAL CONTRACT AMOUNT	 <u><u>\$130,699.52</u></u>

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ACCEPTANCE OF CONTRACT
January 27, 2004

PROJECT ID NO. RMD4121001, MINOR CONCRETE REPAIRS, MD 4,
(in the vicinities of Florence, Santa Fe Springs, and La Habra Heights),
Supervisory Districts 1, 2, and 4

Contractor: Universal Construction & Maintenance, 725 Battery Street, San Pedro,
California 90731

Project Description:

Reconstruction of curb, gutter, sidewalk, and driveways, and the removal and root pruning of parkway trees.

Changes in Work:

(1) Variations in Bid Quantities	(\$6,050.00)
(2) Construction of Block Wall	<u>(700.00)</u>
Total	<u>(\$6,750.00)</u>

Description of Changes:

(1) The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities.

(2) During construction, a block wall on Alma Avenue was damaged. Since the contractor failed to repair the block wall, it was necessary to hire another contractor to complete the work. This resulted in a credit to the contract in the amount shown.

The costs for Item 1 were based on contract unit prices. The cost for Item 2 was negotiated as provided in Subsection 3-2 of the contract specifications.

No additional working days were required because of these changes; however, due to a start of construction delay, the contractor was granted an additional 30 working days.

Project Completion Date:

The contractor completed the project on March 26, 2003, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

The contractor has failed to comply with affirmative action reporting requirements. Therefore, in accordance with the contract specifications, \$9,800.00 is being deducted from the value of the contract. Additionally, the contractor was unable to complete the contract work within the allotted time and is being assessed \$57,500.00 in liquidated damages. The contractor has agreed to this assessment.

Final Contract Amount:

Original contract amount	\$712,763.40
Changes in work authorized by Director of Public Works	(6,750.00)
Deduction for affirmative action noncompliance	(9,800.00)
Deduction for liquidated damages	<u>(57,500.00)</u>
 FINAL CONTRACT AMOUNT	 <u>\$638,713.40</u>

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